1895-96.
(L.R.)

File No. 97 of 95
Serial No. 1-8.

Sub:— Appeal of Adimunthappa of Somenahalli, Gudibanda Sub taluk; regarding the Shanbhogi Service Inam lands.

G. R. S. IX-5]

Previous references.

L. R35 of 86.

1895-96.

191 .

(L.R.)

File No. 97 of 95

Serial Nos. 1 — 8

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 8

M. ~~Part~~ B for February 1899.

SUBJECT.

Appeal of Adimurthappa of Someenahalli, Gudibanda Sub-taluk, regarding the Shanbhogi Service Inam Land

---

Continued

W D 1250—GPB—30,000 - 28-1-19

Indexed

Before the Government of *His Highness* the Maharaja of Mysore.

Appeal No. 171 of 1895-96.

Appellant.	Vs.	Respondent.
Adimurtappa		1. Karanappa, since deceased, represented by the 2nd Respt.
		2. Sanjivappa.
		3. Venkatasubbaiya
		4. Venkatarayappa
		5. Ramaiya
		6. Kammadike Adinaranappa, Shanbhog.

Notices served
23-7-96.

~~Decision~~ appellant in person
Respts not present.
Appt heard -
Order reserved.
BR 23/7

Del'd -
1-9-96 -

the equity of the case seems
to be in favour of the appellant
It is not disputed that
when there was official land
attached to the Shanbogue's office
in question the appellant was
entitled to and was enjoying
a quarter share of it. It
Arrears were allowed to
accumulate as they were not paid up
by the Jammabandi Officer.
was resumed - upon which
the appellant ~~preferred~~ appealed
on appealing for its restoration
Meanwhile the Officiator
Shanbogue Chikkadasanna
in whose incumbency the
resumption had taken place
was dismissed & the present
Officiator Ramabba
appointed in his place
forth in order No. 3703/119 of 7.7.86
" sanctioned the re-assignment

Shantypore Nawabba of the
Service Inam lands referred to?
Ever since then the Petr (Appellant)
has been agitating upon this share
of this so-called Service Inam
land but which in correct language
upon (in my opinion) to be called
the "Shantypore Official land".
Both the Dfts Court & the Lower
Court have upheld his claim
on the ground that such land
is not liable to Contribution & that
the Pltf's suit is barred. The Dfts
Counsel relies upon article 14 of
Schedule II of the Limitation Act
does not seem to be correct. The
suit is for the possession of land
which has been unlawfully held
by the Dfts and the period is
over twelve years - This ground
is therefore untenable. The No
order of Govt is empty & the status
but on the other hand the Dfts
have to recover what in his
view is the share of the profits
arising from that order & due
to his share -

It is neither fair nor con

bargue that the re-assignment was a new grant exclusively and individually to Narrabbe- He was the representative hereditary Officer as being registered the Officiator and his name was mentioned in the order of sort: the re-assignment was clearly that with the restoration of the land mutual rights & liabilities of all the Shareholders which were in existence prior to the resumption were observed - If the new is correct (as I think it is) it follows that until it is the Officiator is entitled to his one-fourth share of the land with the corresponding liability of paying that portion of the Jodi amount.

It seems to me that a distinction must be made between the emolument and the official land allotted to the village Shanbogue & the Officiator which is to be allotted to the Officiator under rule XXXVII "shall be exclusive property" and as such under rule XX shall not include the official land which under the settlement prescribed in the Rules shall remain in the possession of the shareholders who may hold it. The Officiator is under the rule to be paid wholly in cash while under rule XXXVI lands

of village officers ...
of service which are inalienable
by sale mortgage gift or otherwise
while as between the Official
and the rest of the hereditary
~~village~~ shareholders the emoluments
paid in cash are exclusively
payable to the Official the land
which, under the settlement
prescribed by their rules, has
been conferred on the whole
body of shareholders as a quit
- rent or Jodi is to remain in
the possession of each shareholder
with the right of his share
but is not alienable - Upon
conclusions appear (to me) to be
very clear from a comprehensive
consideration of all the rules
and in accordance with them
the appellant is entitled to receive
his one-fourth share with the
corresponding liability of paying
the proportionate Jodi - The
orders appealed against should be
reversed & the 886 (appellant)
put in his possession of his
one-fourth share -

To Abdul Rahim Sheik & KBS
28.8.96.

Wallis Chamier

The equity of the case seems to be in favour of the appellant.

It is not disputed that when there was official land attached to the Shanbhog's office in question, the appellant was entitled to, and was enjoying, a quarter share of it. Arrears were allowed to accumulate, and as they were not paid up, the land was resumed by the Jamabandi officer. The appellant and others went on agitating for its restoration. Meanwhile the officiator Shanbhog Chikka-dasanna in whose incumbency the resumption had taken place was dismissed and the present officiator Nara-nappa appointed in his place. Government in order No $\frac{3703}{119}$ of 7th July 86. sanctioned the re-assignment

to Shanbhog Narayanappa of the Service Inam lands referred to." Ever since then, the Petitioner (appellant) has been agitating to get his share of this so-called Service Inam land, but which in correct language ought (in my opinion) to be called the "Shanbhog's official land".

Both the Deputy Commr and the Sub Divl Officer have rejected his claim, on the ground that such land is not liable to partition and that the Plaintiff's suit is barred. The Deputy Commr's reliance upon article 14 of Schedule II of the Limitation Act does not seem to be correct. The suit is for possession of the land

which, according to the allegations of the plaint, has been unlawfully held by the defendant and the period is one of twelve years. This ground is therefore untenable. No order of Govt is sought to be set aside, but, on the other hand, the Plaintiff sues to recover what, in his view, is the share of the profits arising from that order and due to his share.

It is neither fair nor correct to argue that the re-assignment was a new grant exclusively and individually to Naranappa. He was the representative hereditary officer as being the registered officiator, and his name was mentioned in the order of Government. The word re-assignment

shows

shows clearly that with the restoration of the land the mutual rights and liabilities of all the shareholders which were in existence prior to the resumption were intended to be revived. If this view is correct, (as I think it is), it follows that the Plaintiff is entitled to his one-fourth share of the land with the corresponding liability of paying that portion of the Jodi amount.

It seems to me that a distinction must be made between the emoluments of the officiator and the official land attached to the village Shanbhog service. The former under Rule XXXVII "shall be the

officiator's exclusive property",
and under rule XXVIII,
shall not include the official
land which, under the
settlement prescribed in
the Potigi rules shall remain
in the possession of the sharers
who may hold it. The
officiator is, under this rule,
to be paid wholly in cash,
while under rule XXXVI,
lands of village officers
held on condition of service
to Govt are inalienable
by sale, mortgage, gift
or otherwise. While, as
between the officiator and
the rest of the hereditary
Shanbhogs, the emoluments
paid in cash are exclusive
payable to the officiator;
the official land which,
under the settlement prescrib
by

by these rules, has been
confirmed to the whole body
of Shanbhogs on a quit-rent
or jodi is to remain in the
possession of each sharer
to the extent of his share,
but is not alienable.
These conclusions appear
(to me) to be very clear
from a comprehensive
consideration of all the
rules regulating the
Shanbhog Service, and, in
accordance with them, the
appellant is entitled to
recover his one-fourth share
with the corresponding lia-
bility of paying the pro-
portionate jodi. The orders
appealed against should
be reversed and the
Plaintiff (appellant)
put in his possession

of his possession one-fourth share.

(Sd) P. R. Krishnamurti.

The service Inam land in this case, is a fully assessed land, the assessment forming part & parcel of the officiator's remuneration (Swetha Shotti). The land is not a Jodi land as the 2nd Councillor seems to think. The Inam was actually relinquished by the former holder, who did not want it for certain reasons given by him, and who failed to pay the local cess due thereon for 5 years. When he (Chiakka Dasanna) resigned it, his shares failed with him to pay up the arrears and delegated the land to be resumed to Govt. The arrears were remitted by Govt. which clearly sustained a loss by the default of the said Chambaty & his shares.

Vide Letter: No 17 of Adimoorthappa & Narayanappa dated the 25th Jan: 1913

of the land.

The reassignment of Govt. was to the Shanbhog for the time being, and not to the predecessors of Narasappa also, and his sharers who defaulted as stated above.

In this view, I think, the order of the Lower Court has to be confd.

It is not at all expedient to decide this case as proposed by the 2nd Councillor, specially with a view to the fact that the Government ~~petitioners~~ have not yet been given all called for Govt. Vide files noted in the margin.

Govt. have not hitherto allowed under instruction the old arrangement between the Shanbhogs and their sharers, of the enjoyment of shares in kept to fully accepted and partially Canara Inam or Devasthi lands attached to the Shanbhogi offices.

In the present case the old arrangement still subsists

relating to the fully assessed Devasthi Lands

* Files relating to the following references:—

(1) Petn No 401/A.2 of 1891-92
Petr.- Sheshaiya of Haramgatta.

(2) Petn No 177 of 91-92
Petr. Anantaiya of Chik Hejjaji

(3) Shimoga Dy Comrs letter
No 416/345 dated 25-10-93

(4) Do No 985/943 dated 17-1-93

(5) Hassan Dy Comrs No 147 dated 19-8-93.

(6) Petn No 2104 of 1893-94
Petr. Nilakantaiya.

and the answers due thereon
were received.

So. that we may consider
these points before coming
to a final decision

2nd. Sept. 96

Abdul Rahman

Neither files have
no analogy to this
which involves
which is the construction
of a re-assignment.
It is fully assessed
land I do not know
why the Sett. applies
Under Special amount of
the character of the land
the Sett. attaches inheritance
but the question has to be
decided. As there is difference
this file may be laid before
the Dewan.
3.9.96

Seen
16.9.96

The question remains whether
the conditions which existed
as regards the Enjoyment
of the land before it
resumption by Govt

draft docket sent
as per verbal orders
of the 3rd Councillor
16/9/96

Claim be registered as
attached hereto & the Land in the hands of
the new grantee
transmitted
was the assignee
by the Grant by the order of 7 July '86 -
The Court did not intend a new
resumption but a continuation of the former
Peter lost all right to any share in the
land by the abstraction in furtherance of his
by all the assignment of his interest
Same cannot be received by the
Register of the land in
new Mandamus — Hence
the appeal should be refused
13. 12 97

Note
Proceed
to Enrol on the
amended
Two Issues
have due to
Question by
Whether the
is incorrect
Mr. Lilo
Counsel
Mr. Tu
Mr. Flow
by

Pet: Is this a matter
[illegible]

Sub Secretary

The "official land" in question is fully assessed the assessment being Rs 29-4-0. The pakka portion of the Shambogi (including Stationery allowance) was fixed at Rs 64-12-0; out of this the assessment of the "official" land has been deducted, & only Rs 39-8-0 is being paid to the Shambogue.

(Vide Serial No 3 of the Open file)

My 18/12/97

Sealed Rs 100-2-0 (Rs 9)

20-12-97

Rd 7 Rs.
20.12.97.

The decision with the Dewan which is in conformity with that of the Assistant Collector, under whom Subbi becomes, under the rules, the ryot entered as such, will however need the sanction of Government. Submitted for orders.

21/12/97

Seen
31/12/98
31st January

Minutes by the 2d Councillor

The equity of the case seems to be in favor of the Appellant.

It is not disputed that, when there was official land attached to the Shanbhog's office in question, the appellant was entitled to, and was enjoying, a quarter share of it. Arrears were allowed to accumulate, and, as they were not paid up, the land was resumed by the Jumabandi Officer. The appellant and others went on agitating for its restoration. Meanwhile the Officiator Shanbhog, Chikka-dasanna in whose incumbency the resumption had taken place was dismissed, and the present Officiator Hara nappa appointed in his place. Government, in order No $\frac{3703}{119}$ of 7th July 1886 "sanctioned the re-assignment to Shanbhog Narnappa of the Service Inam lands referred to." Ever

since then, the Petitioner (appellant) has been agitating to ——— get his share of this so-called Service Inam land, but which, in correct language, ought (in my opinion) to be called the "Shanbhag's Official land."

Both the Deputy Commissioner and the Sub Division Officer have rejected his claim, on the ground that such land is not liable to partition and that the Plaintiff's suit is barred. The Deputy Commissioner's reliance upon Article 14 of Schedule II of the Limitation Act does not seem to be correct. The suit is for the possession of the land which, according to the allegations of the plaint, has been unlawfully held by the Defendants, and the period is one of twelve years. This ground is therefore untenable. No order of Govt is sought to be set aside, but, on the other hand, the ———

Plaintiff sues to recover what, in his view, is the share of the profits arising from that order and due to his share.

It is neither fair nor correct to argue that the re-assignment was a new grant exclusively and individually to Narnappa. He was the representative hereditary officer as being the registered officiator, and his name was mentioned in the order of Government. The word re-assignment shows clearly that, with the restoration of the land, the mutual rights and liabilities of all the shareholders which were in existence prior to the resumption were intended to be revived. If this view is correct, (as I think it is) it follows that the Plaintiff is entitled to his one-fourth share of the land with the corresponding liability

of paying that portion of the Jodi amount.

It seems to me that a distinction must be made between the emoluments of the Officiator and the Official land attached to the village Shanbhog Service. The former under Rule XXXVII "shall be the Officiator's exclusive property," and under rule XXXVIII, shall not exclude the Official land which, under the Settlement prescribed in the Potiji rules, shall remain in the possession of the Sharers who may hold it. The Officiator is, under this rule, to be paid wholly in cash, while, under rule XXXVI, lands of village Officers held on condition of Service to Govt are inalienable by Sale, mortgage, gift or otherwise. While, as between the Officiator and the rest of the hereditary Shanbhogs, the emoluments paid in cash are exclusively payable

payable to the officiator, the Official land which, under the Settlement prescribed by these rules, has been confirmed to the whole body of Shanbhogs on a quit-rent or Jodi is to remain in the possession of each sharer to the extent of his share, but is not alienable. These conclusions appear (to me) to be very clear from a comprehensive consideration of all the rules regulating the Shanbhog Service, and, in accordance with them, the appellant is entitled to recover his one-fourth share with the corresponding liability of paying the proportionate Jodi. The orders appealed against should be reversed and the Plaintiff (appellant) put in his possession of his one-fourth share.

(Sd) P.R. Krishnamurti

28. 8. 96.

Minutes by the 3d Councillor

The service Inam land in this case, is a fully assessed land, the assessment forming part and parcel of the Officiator's remuneration (pucka potiyi). The land is not a Jodi land as the 2d Councillor seems to think.

The Inam was actually relinquished by the former holder, who did not want it for certain reasons given by him, and who failed to pay the local cess due thereon for 5 years.

When he (Chikka Dasanna) resigned it, his sharers failed with him to pay up the arrears and deliberately allowed the land to be resumed to Govt. The arrears were remitted by Govt. which clearly sustained a loss by the default of the said Shanbhog and his sharers. The reassignment of

Vide Petition B/17 of Adimoorthappa and Nurnappa dated the 25th January 1883 (Sd) A.R.

of the land by Govt. was to the Shanbhog for the time being, and not to the predecessors of Narnappa also, and his sharers who defaulted as stated above. In this view, I think the order of the Lower Court has to be confirmed.

It is not at all expedient to decide this case, as proposed by the 2° Councillor, especially with a view to the fact that the connected questions relating to the fully assessed inmbli lands have not yet been finally settled by Govt. Vide files noted in the margin*.

Government have hitherto allowed undisturbed the old arrangement between the Shanbhogs and their sharers, of the enjoyment of shares in both the fully assessed and partially assessed Inam or inmbli lands attached to the Shanbhogs Offices.

In the present case,

*Files relating to the following references: —

(1) Petition No $\frac{401}{A\,2}$ of 1891-92
Petitioner - Seshayya of Haranagatta

(2) Petition No 177 of 91-92
Petr. Anantayya of Chik Hejjaji

(3) Shimoga Dy: Commr's letter
No $\frac{416}{345}$ of 25-10-93

(4) -Do- No $\frac{985}{943}$ of 17-1-93

(5) Hassan Dy: Commrs No 147
dated 19-8-93

(6) Petition No 2104 of 1893-94
Petr. Nilakantayya

the old arrangement fell through when the land was relinquished and the arrears due thereon were remitted.

So, I think we may consider these points before coming to a final decision.

2d September 1926 (Sd) Abdul Rahman

Minutes by the 2d Councillor

The other files have no analogy to this which involves the construction of a re-assignment. If it is fully assessed land, I do not know why the petitioner agitates. On account of the special character of the land, the petitioner attaches importance to it, and the question has to be decided. As there is difference, this file may be placed before the Dewan.

3d September 1926 (Sd) P.N. Krishnamurti

Compd
S.V.

Submitted to the Secretary
with reference to the 2nd
Councillor's minute dated 3rd
September 1896 placing the
matter before the Dewan
in view of difference of opinion
A ~~Short~~ brief note of the case is put
up along with the Councillors' minute
MZ
5/1/97

Submitted to the Dewan
9
2-2-97

26 Note

Appeal No 171 of 95-96.

Appellant:—
Adimurtappa.

Respondent:—
1, Naranappa, since deceased, represented by his brother Sanjivappa and others.

This is a dispute regarding a share in the service Inam lands attached to the Shanbhogi of Somenhalli in the Gudibanda Sub Taluk.

The local and irrigation cesses due on these lands for 5 years having fallen into arrear Chik Basanna, the Registered Shanbhog was asked to pay up the amount. He gave a statement to the effect that he was unable to pay the arrears, that the lands were unfit for cultivation, and that he did not want the lands. On 8th February 1882

S.No.		Extent a. g.	assessment:
77	Dry	2 - 37	Rs 4 - 8 - 0
186	"	1 - 13	1 - 12 - 0
237	"	4 - 1	5 - 8 - 0
305	"	2 - 18	2 - 12 - 0
346	"	2 - 0	3 - 8 - 0
205	Garden	0 - 14	2 - 12 - 0
212	Wet	0 - 27	4 - 8 - 0
260	"	0 - 29	4 - 0 - 0
	Total	14 - 19	Rs 29 - 4 - 0.

Year	L. Cess.	I. Cess.
Shalivahana (76-77)	Rs 1-12-6	—
Isvara (77-78)	Rs 1-12-6	—
Bahudhanya (78-79)	1-12-6	0-10-0
Pramathi (79-80)	1-12-6	0-10-0
Vikrama (80-81)	1-12-6	0-10-0
	8-14-6	7-14-0

Total arrears Rs 10-12-6

*: Vide copy Kammi Jasti Tekhle for Vishu. The statement is not in the file

the Jamabandi Officer (Mr. Panchanath Rov)
ordered that the Inam lands
should be resumed to Govt
and that the arrears should
be included in the Special
Takhta for remission. A
Shara in the Vasulbaki Takhta,
below the above order shows
that the lands were entered in
the accounts as Sarkar lands
and that the arrears were
~~as~~ included in the remission
statement

Note:- It is not clear from the records whether the remission of the amount was sanctioned or not.

On 25th January 83, Adiveriappa (Appellant) and Narasappa (1st Respt) presented a petition to the Deputy Commr stating that all the Desaidars were enjoying the Inam lands attached to the Shanbhogi of Somenhalli and other villages, that they heard that the officiator Chikdasanna relinquished the lands, that he was not at liberty so to relinquish them, that they being all entitled to the lands were not willing to give them up, and that the

Shanbhog unauthorizedly cultivates some of the lands after the relinquishment and enjoyes the produce without giving them any thing. They prayed that the lands should be continued to them. The Dy Commr, on perusal of the Dy Amildar's report on the petition, observed that from the fact that the Shanbhog being unable to pay the Irrigation cess, relinquished the Inam lands to Govt; it appeared that he did so with the object of deceiving the Kiosedars; and enquired whether the lands had been already entered in the accounts as Sarkar lands.

In the meanwhile the Shanbhog having failed to prepare the village accounts though repeatedly ordered to prepare them, the Dy Commr after enquiry suspended him and appointed Naraneppa to act for him.

Chikdasanna cultivates

* 29-4-84

⊗ The Dy Amildar in his report No 318 of 10.1.84, states that Chikdasanna relinquished the Inam lands without informing the kiosedars.

* 21-11-83
v. 15-1-84

two of the Inam lands, viz. Survey Nos 77 and 212, after he relinquished them. The matter was entered in Sakaran Sakhla and subd for the order of the Dy Commr in April 84. The Dy Comr ordered that the produce of the lands, which had been kept amanat, should be sold by auction and the ~~proceeds accrued thereon~~ sale proceeds credited to Govt; and that the Kandayam of the lands for two years should be recovered from him; but he refused to ~~a~~ order the Shanbhog's prosecution, as he was then under trial for embezzlement of Govt money. ~~On~~ On 10. 5. 84, the deputy Amildar was asked to report why the Inam lands should not be restored to the hissedar then doing the duties. He reported that the lands were removed from the Inam accounts in Vishu (81-82), and that they may be restored as Inam

This is not in the file
Vide order No. 118 of 19-5-84 to the Shekdar of Somenhalli Hobli..

× The number of the report is 196 The date is not given. It seems to be 23. 6. 84, as the report is referred in ~~that~~ two ~~the~~ Istillas of that date.

NT OF MYSORE

to the officiator for remunerating him, and that the hissedars had no claim as the Inam was resumed to Govt.

Chikdasanna who was tried for embezzlement was acquitted. But the Dy Commr after perusing the criminal proceedings considered that it was clear from the records that Chikdasanna embezzled Govt money, dismissed him, and refusing to consider the claim of his near relatives, appointed Narayappa, a distant divided (Gnati) member of the family

× Vide order No 216 of 22.11.85.

× Vide order No 24 of 27.4.86.

In May 86, the Deputy Commr requested the Govt to re-assign the lands as Inam for remunerating the Shanbhog, stating that he complained that no

L.R. 35 of 86.

two remuneration had been
Su attached to his office.
he In reply to the Chief Secretary's
me docket of 7th May 86, the Dy
Ia Commr reported that the
or Pakka Potagi of the Shanbhog
Th had been fixed at Rs 68-12-0
of out of which the value of
ke the service Inam lands in
si question viz. Rs 29-4-0 had
fo been deducted, the balance,
s Rs 39-8-0 being payable in
a cash from Govt Treasury."
o Govt in Proc No $\frac{2703}{119}$ of 7.7.86
r sanctioned "the re-assignment
b to Shanbhog Naranappa of
t the Service Inam lands."
a
T Under the above order, the
Deputy Amildar directed the * 26.7.86
Shekdar to put Naranappa
in possession of the lands; and
the Shekdar reported that @ 30.9.86.
Naranappa was put in
possession

Appellant, who bears one- S.V.
fourth house in the Shanbhogi
hutt, has applied that he

5-2

maybe put in possession of
1/4 of the servia Quam land
as before the relinquishment

WWL 2/2/97

33

GOVERNMENT OF MYSORE

Proceedings of the Govt of Mysore

Read:-

(1) Petition of appeal No 3792/171 of 1895-96 presented by Admuntappa of Puttenhalli Sandra, Tumkur Taluk against the decree of the D.C. of Kolar in the suit of the Sub Dr office of Chikballapur as Revl suit No 5 of 1893-94 on the file of this Court dismissing Admuntappa's claim for a fourth share of the service lands attached to the office of Shanbog of Somenhalli in the Gudibanda Sub-Taluk

(2) Records of the case received with Docket No 5074/1417 of 30/6/96 from the D.C. Kolar

Plaintiff
x Admuntappa

Defendants
Vs (1) Narnappa
(2) Sampappa
(3) Venkatasubbaya
(4) Venkatarangappa
(5) Ramanja
(6) Adinarayappa

from which the facts appear to be as follows:-
The plaintiff and the first defendants are descended from a common ancestor and represent - 1/4 th, 1/16 th, 1/16 th, 1/4 th, 1/8 th, 1/8 th & 1/8 th Shares respectively in the Shambopi hill of Somenahalli

(* Two other shares representing 1/24 th each have not been included among the defendants)

The ~~Official~~ Jenmadaru lands attached to the Office were held in Shares by the Plaintiff Chikdasanna father of the 5th defendant & the other hissedars

As the local and inquiries certificates due on the lands had fallen into arrears for 5 years and as Chikk Dasanna the plaintiff tendered a razinama for the same, the Lands were resumed by the Jamabandi Officer on the 8th February 1882 and the arrears were written off the accounts

At the Pakka Pohpi settlement in 1883, the Lands were fully assessed, the assessment being liable

Sno	Extent a - g	Survey assessment Rs a - p
77 (Dry)	2 - 37	4 - 8 - 11
186 (do)	1 - 13	1 - 12 - 11
237 (do)	4 - 1	5 - 8 - 11
305 (do)	2 - 18	2 - 12 - 11
346 (do)	2 - 11	3 - 8 - 11
205 (Garden)	0 - 14	2 - 12 - 11
212 (Wet)	0 - 27	4 - 8 - 11
260 (do)	0 - 29	4 - 11 - 11
Total	14 - 19	29 - 4 - 11

to be deducted from the [illegible]
of Rs 68 3/4 attached to the Thambiji
Price.

In January 1883, the plaintiff and the first defendant presented a petition to the D.J. Comr complaining of the resumption of the Service Inam Lands, and questioning the authority of the Members to relinquish them without the Consent of the hereditary who were in possession, and praying for the restoration of their respective shares.

While the petition was being enquired into, Chick Dasanna was dismissed from the Office for embezzlement of Govt money and other gross misconduct and the 1st defendant Narasappa was appointed in his place. Shortly after this Head to be May 1886, the D.J. Comr recommended that the relinquished Lands which were lying waste might be restored as Inam for

In Revenue Proc. No. 2703/119 & 7/7/86

remunerating the Shanbhog. ~~On 7th July 86~~ Govt. sanctioned "the re-assignment to Shanbhog Naranappa of the Service Inam lands referred to." Under this order Naranappa was put in possession of the lands. In May 1894, the Plaintiff filed a regular suit to recover possession of a ~~fourth~~ share of the lands, which ~~they~~ he enjoyed before their resumption. The Sub On Officer dismissed the suit on the ground, that the lands were restored to the officiator and for the office, and that Plaintiff could not claim a share in

them
in it, in consequence of this
right which had existed
prior to their resumption.
The Dy Commr confirmed
the above decree on the
additional ground that
the suit & was barred by
the law of limitation.
Hence this second appeal
to Govt.

— 4 —

Order thereon.

The question for decision
really is whether the con-
ditions which existed as
regards the enjoyment of
the land before its resumption
by Govt can be regarded
as

Subd
The words underlined have
been added.
SL

as attaching to the land
in the hands of the new
grantee to whom it was
re-assigned by the Govt
by their order of 7th July 86.
The circumstances shew
that Govt did not intend
any cancellation of the
pre previous resumption, but
actually made a new
grant: Petitioner lost
all right to any share
in the land by the default
in payment of revenue,
by the relinquishment by
his representative and
by the resumption by
Govt;- and the same
cannot-

cannot be revived by the regrant of the land to the new Shanbhog. Hence the appeal is rejected.

Draft-
C. & D.

For Secretary.

To The Deputy Commr
Kolar District
with records.

S.V.
11/1/98.

can you get [illegible]
referred to in paragraph 8 of
the Dy Comrs judgment?

AS.
28/5/96

Gen. Records.

Kindly refer to paras 5 & 8 of
the accompanying proc. of
the Kolar Dy Comrs in
Rev appeal no. 7 of 1895-96
and put up the Govt order
of 1886 therein referred to and
the connected papers.

DLR
29/5

D.R. Put up above

SJS.
29/5/96

Refers: put up.

AJ.
29/5/96.

CSG 29/5/96

Received and submitted

29/5

In time
Stamp not
Council case
Fwd. for orders.

Recd Bd Comrs
14-6-96

Perused the record
connected papers
and appreciate
16/6/96

18-6-96

V.M.S.

Put up for note
16/6/96

1896

~~A.S. No. 17 of 1895-96~~

No. 3792

Name of Petitioner, Adimurtappa residing in

Village, Jodi Puttasandra

Taluk, Tumkur

District, Tumkur

Date of Arzi, 20.5.96

Date of Receipt, 23.5.96

Date of Disposal,

No. of Enclosure, 1

ABSTRACT. (in English)

Appeals against the order of the Deputy Commr of Kolar in A.S. No. 7 of 1895-96 dd 22.2.96 on the following grounds:-

1. The appellant, 1st respondent's father and 5th respondent one Chikka Dasanna ~~the adopted son of the Shanbogue Venkatappa~~, & the 3rd & 4th respondents are the Hissadars & the Registeredars of the Inam lands in dispute. The following documents may be referred in this connection as the Lower Court has failed to see it.
   (a) Copy of the Inam Register.
   (b) Copy of the Inam Statement.
   (c) Copy of the deposition made by the late Narayappa 1st respondent on 10.12.83.
2. That Chikka Dasanna has not given a regular Rajinama to the Inam lands nor has he done so within the prescribed time (2 years).
3. That the Chikka Dasanna & Hissadars

with the parties, for the [illegible]
without notice to the Hissédars & obtaining their consent.
4) That the Jamabandi officer could not reasonably accept the statement ~~of the~~ — made with the evident intention of defrauding the other Hissadars & of making himself sole owner of the Inam subsequently — of the said Chika Dasanna that he did not want the Inam lands; & also could not with any reason remit the ccs amount due thereon without giving demand notices to the Hissadars & adopting other measures for the collection of the said amount.
5) That the opinion of the appellate court that the 1st respondent Narasappa Jowdeccand alone fought for the ~~reassignment~~ recovery of the Inam lands is against law & the facts of the case.
The following documents may be referred to here: —
(a) The appellants petition to the Dy Coll dy 25.1.83.
(b) Order given by the Dy Coll to the Sudibande Dy Asst Coll No 210 dy 25.1.83
(c) — Ditto — No 47 dy 10.5.84
(d) — Ditto — No 39 dy 29.4.84.
(e) report of the Dy Asst Coll to the Dy Coll No 318 dy 10.1.84
(f) Diary Copy of No 118 given by the JK to the Sheristadar of Sominahalli
(g) Sharbast of Chika Dasanna dy 2.12.83 to give him the said Inam lands for ~~Sharbast~~ Kandayam.
(h) The Inam lands were resumed by Govt in February 1882; the appellants prayed for a reassignment by means of a petition on 25.1.83. Hence as the appellant has asked for the Inam within a year his claim is not barred by time.
(i) Chika Dasanna has no right to relinquish the whole Inam land alone. It is only that all the Hissédars can do so. Therefore it was wrong that the appellant being one of the parties concerned in the case should have been kept in ignorance of the disposal of his petition praying that the Inam should be reassigned & that if the Shanbogi appointment be given to him he would not only look after the duties but also remit to the Hissedars their shares, & (2nd) of the fact that the said Narasappa ~~had~~ was entered when the Inam was

8. That when the Sirkar reassigned the Inam lands, it (Sirkar) has not deprived the rights of those who were Hissédars before the said lands were relinquished; (Pet^rs means by this that this act of re-assignment by the Govt. cannot be construed to mean a new grant to diff^t parties but that it is a surrender of the old grant to the very same parties & hence those that were Hissédars before the relinquishment have not lost their original rights); That this' the name of one of the Hissédars viz the deceased Naranappa, who was then doing the duties of the Shanboque, was mentioned in this connection (viz the reassignment) yet this cannot prejudice the rights of the other shareholders in the said land; (Pet^rs means by this that this' for convenience the reassignment was made in the name of the Shanboque, the deceased Naranappa, one of the Hissédars, yet it was virtually a reassignment to all the original Hissédars.)

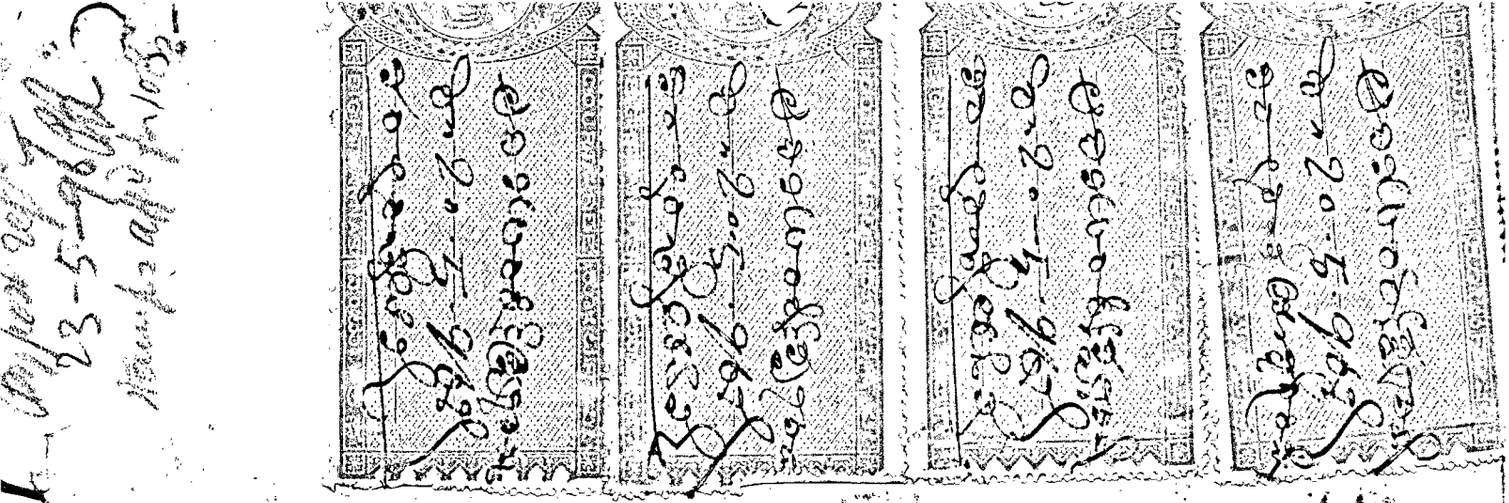
Sec: 120 of the Inam Rules may be referred to in this connection.

9. That Art: 14 Schedule II of the Limitation Act is not applicable to this case; but Art 144 of the said schedule of the said Act applies & hence this suit may be brought within 12 years.

10 The Dy Comm^r has not given

statements 1, 2, 3, 5 & 6.

Prays that an equitable order
may be passed & the pltff be ordered
to be given the costs he incurred
in all the Courts. ~~below~~
J/K.
27.5.96.



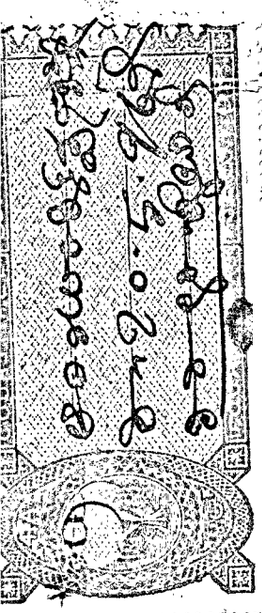
MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT.
RECD. No. 37922
DATE 23-5-96

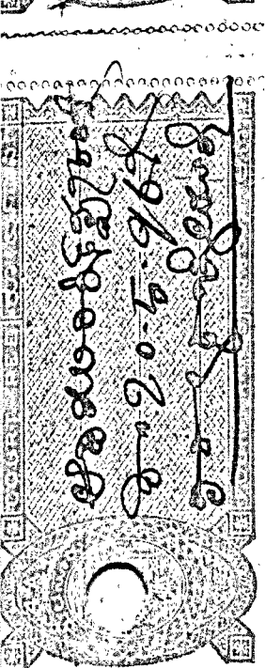
A.J. No. 171 of 1895-96.

(illegible)

(illegible)

(illegible)





ಶಂಪ್ರ 10-12-83 ರಲ್ಲಿ ಕೊಟ್ಟಿರುವ ತೀರ್ಪಿನ
ಪ್ರತಿ ಇದೆ.

ಸದರಿ ತೀರ್ಪಿನಲ್ಲಿ ಸಲ್ಲಿಸಿರುವ ವಿವರಗಳು ಈ ಕೆಳಕಂಡಂತಿವೆ.

2 ವಾದಿಯ ಪರ ಸಲ್ಲಿಸಿರುವ ಅಲ್ಪಾವಧಿ ಜ್ಞಾಪನಾ ಪತ್ರಗಳಿಗೆ ಕೊಟ್ಟಿರುವ ತೀರ್ಪು
ಮತ್ತು ಪ್ರತಿವಾದಿಯ ಪರ ಸಲ್ಲಿಸಿರುವ ಆಕ್ಷೇಪಣೆಗಳು ಇರುವುದಿಲ್ಲ.

3 ಸನ್ 1882 ನೇ ಆಕ್ಟ್‌ನ ಆರ್ಟಿಕಲ್ 24 ರಲ್ಲಿ ಕೊಟ್ಟಿರುವ ಅವಧಿಯೊಳಗೆ
ವಾದಿಯು ಸಲ್ಲಿಸಿರುವ ಅರ್ಜಿಯಲ್ಲಿ ಕೋರಿರುವಂತೆ ಸದರಿ ಮೊಕದ್ದಮೆಯ
ಆಸ್ತಿಯ ಮೇಲೆ ಪ್ರತಿವಾದಿಯು ಮಾಡಿರುವ ಕ್ರಯಪತ್ರವನ್ನು ರದ್ದು ಪಡಿಸಿ
ಆಸ್ತಿಯನ್ನು ವಾದಿಗೆ ಕೊಡಿಸಲು ಆದೇಶ ಮಾಡಬೇಕಾಗಿದೆ.

ಸಮಸ್ಯೆಗಳು ಮತ್ತು ಅವುಗಳಿಗೆ ಕೊಟ್ಟಿರುವ ಉತ್ತರಗಳು ಈ ಕೆಳಕಂಡಂತಿವೆ.

4 ವಾದಿಯ ಪರ ಸಲ್ಲಿಸಿರುವ ಹಾಜರಾತಿ ಪತ್ರಿಕೆಯಲ್ಲಿ ಕೊಟ್ಟಿರುವ ಅಂಶಗಳು
ಪ್ರತಿವಾದಿಯವರಿಗೆ ಅಥವಾ ಅವರ ಪರ ವಕೀಲರಿಗೆ ಇದುವರೆಗೂ ಯಾವ
ರೀತಿಯಲ್ಲಿಯೂ ಪ್ರತಿಯನ್ನು ಕೊಟ್ಟಿರುವುದಿಲ್ಲವೆಂದು ಪ್ರತಿವಾದಿಯ ಪರ ವಕೀಲರು
ಆಕ್ಷೇಪಣೆ ಸಲ್ಲಿಸಿರುತ್ತಾರೆ. ಆದರೆ ಪ್ರತಿವಾದಿಯ ಪರ ವಕೀಲರು ಸಲ್ಲಿಸಿರುವ
ಆಕ್ಷೇಪಣೆಯಲ್ಲಿ ಹಾಜರಾತಿ ಪತ್ರಿಕೆಯಲ್ಲಿ ಕೊಟ್ಟಿರುವ ಅಂಶಗಳನ್ನು ಅಲ್ಲಗಳೆದಿರುವುದಿಲ್ಲ.
ಆದ್ದರಿಂದ ಹಾಜರಾತಿ ಪತ್ರಿಕೆಯಲ್ಲಿ ಕೊಟ್ಟಿರುವ ಅಂಶಗಳು ಸತ್ಯವೆಂದು ಭಾವಿಸಲಾಗಿದೆ.

5 ಇದಲ್ಲದೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಕೆಲವು ಕೊಟ್ಟಿರುವ ಪತ್ರಗಳು ಮತ್ತು ಸದರಿ
ಕೇಸಿನ ಶಂಪ್ರ 83/84 ರಲ್ಲಿ ಕೊಟ್ಟಿರುವ ತೀರ್ಪಿನ ಪ್ರತಿಯನ್ನು ಪರಿಶೀಲಿಸಿದಾಗ
ಈ ಕೆಳಕಂಡ ವಿಷಯಗಳು ಸ್ಪಷ್ಟವಾಗಿ ಕಂಡುಬರುತ್ತವೆ.

(1) ಸಾಲ 1883 ನೇ ಇಸವಿಯಲ್ಲಿ ಪಡೆದಿದ್ದು ಅದಕ್ಕೆ ಶೇ 25 ರಷ್ಟು ಬಡ್ಡಿ
ಮತ್ತು ಚಕ್ರಬಡ್ಡಿ ಹಾಕಿಕೊಂಡಿರುವುದಾಗಿ ಹೇಳಿರುತ್ತಾರೆ.

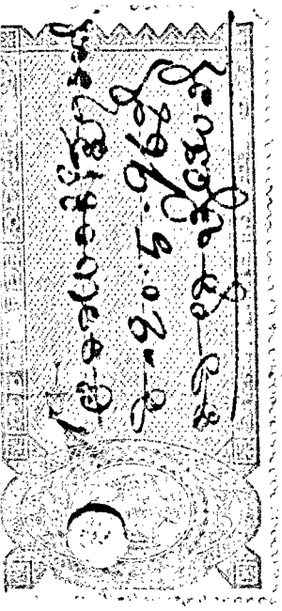
(2) ಸಾಲಪತ್ರದ ಮೇಲೆ ಕೆಲವು ಲಘು ಪಾವತಿಗಳನ್ನು ಮಾಡಿರುವುದಾಗಿ
ಬರೆಯಲಾಗಿದೆ. ಕೊನೆಯ ಲಘು ಪಾವತಿಯು 25-1-83 ನೇ
ಸಾಲಿನಲ್ಲಿ 2/0 ನೇ ದಿನಾಂಕದಲ್ಲಿ ಆಗಿರುವುದಾಗಿ ಹೇಳಿದೆ.

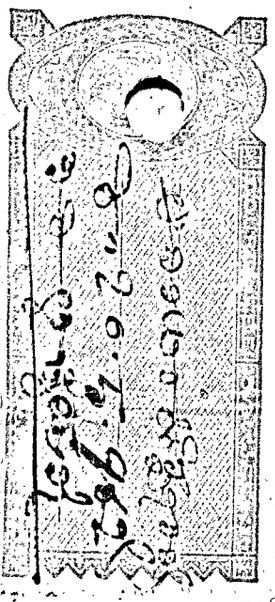
(3) ಪ್ರತಿವಾದಿಯ ಪರ ವಕೀಲರಿಂದ 10-5-84 ನೇ ದಿನಾಂಕದಲ್ಲಿ
47 ನೇ ನೋಟೀಸು ಕೊಟ್ಟಿರುತ್ತಾರೆ.

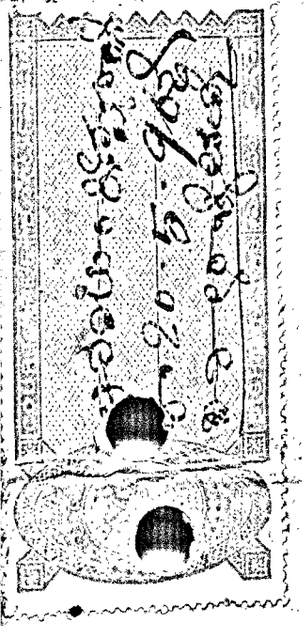
(4) ಪ್ರತಿವಾದಿಯ ಪರ ವಕೀಲರಿಂದ 29-4-84 ನೇ ದಿನಾಂಕದಲ್ಲಿ 39
ನೇ ನೋಟೀಸು ಕೊಟ್ಟಿರುತ್ತಾರೆ.

(5) ಪ್ರತಿವಾದಿಯವರಿಗೆ ಸಾಲ ಪಡೆದಿರುವುದಾಗಿ ಹೇಳಿ ಸಾಲಪತ್ರದ
ಪ್ರತಿಯನ್ನು 10-1-84 ನೇ ದಿನಾಂಕದಲ್ಲಿ 318 ನೇ ನಂಬರಿನಲ್ಲಿ ತೆಗೆದುಕೊಂಡಿರುತ್ತಾರೆ.

(6) ಪ್ರತಿವಾದಿಯವರು ಸಾಲಪತ್ರದ ಮೇಲೆ ಕೆಲವು ಲಘು ಪಾವತಿಗಳನ್ನು
ಮಾಡಿರುವುದಾಗಿ ಹೇಳಿರುತ್ತಾರೆ.







10 తేదీన్నుంచి ఆయా పరీక్షలు నిర్వహించడం జరుగుతుంది.
దీనికి సంబంధించిన హాల్ టికెట్లు 1-2-B-5-వ తేదీ నుండి ఇవ్వడం జరుగుతుంది.
ఈ పరీక్షలకు సంబంధించిన ఫీజు చెల్లించడానికి చివరి తేదీ 20-5-96 వరకు
ఆలస్య రుసుముతో 25-5-96 వరకు చెల్లించవచ్చును.
ఆలస్య రుసుముతో ఫీజు చెల్లించడానికి ఇదే చివరి అవకాశం.
ఈ విషయాన్ని విద్యార్థులందరూ గమనించి సకాలంలో ఫీజులు చెల్లించవలసిందిగా
కోరడమైనది.

ప్రిన్సిపాల్

తేదీ 20-5-96

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

L.R. 97-95-2

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition

Registered No. 3792 dated 20-5-96

received at the Dewan's Office from Adimurappa residing at Jodi Pulle Saudi Village, Tumkur, appellee against the order of the Dy. Comr. Kolar, in A.S. No 7 of 95-96 dated 2nd February 96, in the matter of his claim to one fourth share in certain service Inam lands attached to the office of Shanbhog of Somenahalli in the Gudibanda Sub Dh. is forwarded, together with its one enclosure, to the Deputy Commissioner of the Kolar District for submission of the entire proceedings connected with the case.

2. The petition with its enclosure should be returned.

By order,

2 Drafts

20/6/96

for Chief Secretary.

BANGALORE, 20-6-1896

20/6/96

M.G.C.P.B.—25-4-95—1,000

L.R.97-95-3 Gen. 31.]

1896 Pet-127

6 JUL. REVENUE OFFICE

P.A. March 4/7/96

Subd with refce.

From The Dy. Commissioner Kolar District

To

The Secretary to the Dewan of Mysore. Government Rev and Genl Depts

Dated 30th June 1896.

Despatched 4-7-96

Received

General No. 5074

No. 1417

Enclosure No. 1 & cc

Hio official Memorandum No. Pet 2180 dated 20th Instant forwarding for Sub-mission of Proceedings a* petition From Adimurthappa residing in Jodi Puttasandra village, Tumkur District, appealing against this office order as in No 7 of 95-96 dated 22nd February 1896 in the matter of his claim to one fourth Share in certain Service Inam lands attached to the office of Shanbhog

* Herewith returned with its enclosure.

Subd with reference to the 2nd Councillor's order on Petn No. 3792. This is to be posted for hearing.

A.S. 8/7/96

Posted 6 23 2 July

Notices to issue

8/7

10 Mr. [illegible]

this petitioner

7/7

Shanbhog of Somenhalli in
the Gudibanda Sub-Taluk.

As called for in the above,
I have the honor to sub-mit here-
with as per accompanying
Ferist the Proceedings con-
nected with the case.

Deputy Commissioner
Kolar District.

(9)

Proceedings of the Govt Appellate

Draft for approval
Sd/ L[illegible] Commr
15/1/98

Read:-

(1) Petition of appeal No 3792/171 of 1895-96 presented by Adimurtappa of Battasandra, Tumkur Taluk, against the decree of the Dy Commr of Kolar District confirming that of the Sub Dy Officer of Chickballapur in Rev: Suit No 5 of 1893-94 on the file of his Court dismissing Adimurtappa's claim for a fourth share of the service lands attached to the Office of Shanbhog of Somenhalli in the Gudibanda Sub-Taluk

(2) Records of the case received with docket No 5074/1417 of 30-6-96 from the Dy: Commr Kolar District from which the facts appear to be as follows:-

+ Plaintiff: Adimurtappa

Defts
VS
(1) Narnappa
(2) Sanjivappa
(3) Venkatasubbaiya
(4) Venkatarayappa
(5) Ramaiya
(6) Adinarayappa

The Plaintiff and the six defendants are descended from a common ancestor and represent 1/4th, 1/16th, 1/16th, 1/4th, 1/8th, 1/8th & 1/8th shares respectively in the Shanbhogi hak of Somenhalli. The Service Inam lands attached to the

*S No	Extent a-g	Survey assessment Rs
77 (dry)	2-37	4-8
186 (do)	1-13	1-12
237 (do)	4-1	5-8
305 (do)	2-18	2-12
346 (do)	2-11	3-8
205 (Garden)	0-14	2-12
212 (Wet)	0-27	4-8
260 (do)	0-29	4-0
Total	14-19	29-4

R 2.30 Pm
15-1-98

Office were held in shares by the Officiator Chikkasamma (father of the 5th defendant) and the other hissedars

2. As the local and irrigation cesses due on the lands had fallen into arrears for 5 years and as Chikkasamma, the Officiator, after expressing his inability to pay the arrears considered a razinama for the Land ~~same~~, ~~the lands~~ these were resumed by Govt by the Jamabandi Officer on the 8th Feby 1882 and the arrears were written off the accounts.

3. At the Pakka Potigi Settlement in 1883, the lands were fully assessed, the assessment being liable to be deducted from the potigi of Rs 68 3/4 attached to the Shanbhogi Office.

4. In January 1883, the plaintiff and the 1st defendant presented a petition to the Dy Commr complaining of the resumption of the service Inam lands, questioning the authority of the Officiator to relinquish them without the consent of the hissedars who were in possession, and

their respective shares.
While the Complaint was being enquired into, Chikkusanna was dismissed from the Office for embezzlement of Government money and other gross misconduct and the 1st Deft Narnappa was appointed in his place. Shortly after this, that is in May 1886, the Dy Commr recommended that the relinquished lands which were lying waste might be reassigned as Inam for remunerating the Shanbhog. In their Prop no 2703/119 dy 7-7-86 Govt sanctioned "the re-assignment to Shanbhog Narnappa of the Service Inam lands referred to." Under this order Narnappa was put in possession of the lands. In May 1894, the Plaintiff filed a regular suit to recover possession of a fourth share of the land which he enjoyed before their resumption. The Sub Dy Officer dismissed

the suit on the ground that the lands were restored to the Appellator and for the Office, and that Plaintiff could not claim a share in them in consequence of his right which had existed prior to their resumption. The Dy. Commr confirmed the above decree on the additional ground that the suit was barred by Limitation Hence this second appeal to Govt

(879)

Order No. 6635 / P.736-97 dt 19.1.98 / 20

— " —

The question for decision really is whether the conditions which existed as regards the enjoyment of the land before its resumption by Govt can be regarded as attaching to the land in the hands of the new grantee to whom it was re-assigned by the Govt by their order of 7th July 86. The circumstances show that Govt did not intend

any cancellation of the previous resumption, but actually made a new grant. Petitioner lost all right to any share in the land by the default in payment of revenue, by the relinquishment by his representative and by the resumption by Govt; and the same cannot be revived by the regrant of the land to the new Shanbhog. Hence the appeal is rejected

Re Draft
C2 & D

for Secretary

To
The Dy Commr Kolar
Draft with records

16/1/98

17/1/98

17/1/98

20-1-98

24/2

Kontrakt for afhentning

L.R.97-95-5

1897-98

GOVERNMENT OF MYSORE

PETITION

PROCEEDINGS

Dated 19*th January* 1898

No. 6635 / Pet. F. 36-97

Rejecting the appeal of Adimurtappa of Puttasandra, Tumkur taluk, regarding his claim for a fourth share of the service lands attached to the shanbhogi of Somenhalli, Gudibanda sub-taluk.

M.G.C.P.B.—4-3-98—125

READ :—

Petition of Appeal No. 3792—171 of 1895-96 presented by Adimurtappa of Puttasandra, Tumkur taluk, against the decree of the Deputy Commissioner of Kolar district, confirming that of the Sub-Division Officer of Chikballapur in Revenue Suit * No. 5 of 1893-94 on the file of his Court dismissing Adimurtappa's claim for a fourth share of the service lands attached to the office of shanbhog of Somenhalli in the Gudibanda sub-taluk.

Plaintiff.	vs.	*Defendants.*
Adimurtappa.		1. Narnappa.
		2. Sanjivappa.
		3. Venkatasubbaiya.
		4. Venkatrayappa.
		5. Ramaiya.
		6. Adinarnappa.

2. Records of the case received with docket No. 5074—1417, dated 30th June 1896, from the Deputy Commissioner, Kolar district, from which the facts appear to be as follows :—

The plaintiff and the six defendants are descended from a common ancestor and represent $\frac{1}{4}$th, $\frac{1}{16}$th, $\frac{1}{16}$th, $\frac{1}{4}$th, $\frac{1}{8}$th, $\frac{1}{8}$th and $\frac{1}{8}$th shares, respectively in the shanbhogi hak of Somenhalli. The service* inam lands attached to the office were held in shares by the officiator Chikdasanna (father of the 5th defendant) and the other hissedars.

*Survey. No.	Extent. A.	g.	Survey Assessment. Rs.	a.	p.
77 (dry) ...	2	37	4	8	0
186 (do) ...	1	13	1	12	0
237 (do) ...	4	1	5	8	0
305 (do) ...	2	18	2	12	0
346 (do) ...	2	11	3	8	0
205 (garden) ...	0	14	2	12	0
212 (wet) ...	0	27	4	8	0
260 (do) ...	0	29	4	0	0
Total ...	14	19	29	4	0

2. As the local and irrigation cesses due on the lands had fallen into arrears for five years and as Chikdasanna, the officiator, after expressing his inability to pay the arrears, tendered a razinama for the lands, these were resumed to Government by the Jamabandi Officer on the 8th February 1882 and the arrears were written off the accounts.

3. At the pakka potigi settlement in 1883, the lands were fully assessed, the assessment being liable to be deducted from the potigi of Rs. $68\frac{3}{4}$ attached to the shanbhogi office.

4. In January 1883, the plaintiff and the 1st defendant presented a petition to the Deputy Commissioner complaining of the resumption of the service inam lands, questioning the authority of the officiator to relinquish them without the consent of the hissedars who were in possession, and praying for the restoration of their respective shares.

5. While the complaint was being enquired into, Chikdasanna was dismissed from the office for embezzlement of Government money and other gross misconduct and the 1st defendant Narnappa was appointed in his place. Shortly after this, that is, in May 1886, the Deputy Commissioner recommended that the relinquished lands which were lying waste might be re-assigned as inam for remunerating the shanbhog. In their Proceedings No. 2703—119, dated 7th July 1886, Government sanctioned "the re-assignment to shanbhog Narnappa of the service inam lands referred to." Under this order, Narnappa was put in possession of the lands. In May 1894, the plaintiff filed a regular suit to recover possession of a fourth share of the lands, which he enjoyed before their resumption. The Sub-Division Officer dismissed the suit on the ground that the lands were restored to the officiator and for the office, and that plaintiff could not claim a share in them in consequence of his right which had existed prior to their resumption. The Deputy Commissioner confirmed the above decree on the additional ground that the suit was barred by limitation. Hence this second appeal to Government.

No. 6635—P. F. 36-97, DATED BANGALORE, 19TH JANUARY 1898.

ORDER THEREON.—The question for decision really is whether the conditions which existed as regards the enjoyment of the land before its resumption by Government can be regarded as attaching to the land in the hands of the new grantee to whom it was re-assigned by the Government by their Order of 7th July 1886. The circumstances show that Government did not intend any cancellation of the previous resumption, but actually made a new grant. Petitioner lost all right to any share in the land by the default in payment of revenue, by the relinquishment by his representative and by the resumption by Government, and the same cannot be revived by the re-grant of the land to the new shanbhog. Hence the appeal is rejected.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Deputy Commissioner, Kolar District, with records.

Exd.—H.A.B.

(8)

Y.R.97-95-b

ఆవిలో ఆఫీసు అధ్యక్షులు, వైద్యశాఖ సంబంధపడ్డ సిబ్బంది అవసరమైనవారిని నియమించుకోవలసి ఉంటుంది.

ఆఫీసు బాంధవ్యాలు కలిగివుండటం వల్లనే ప్లేగు ఒందు భూగర్భమైన్ను కనుగొన్నది, కనిపెట్టి దీనిగానీ కలిగి రక్షణ ఉంటుంది అనేటటువంటి మూలసూత్రాలను ఖండించి వాటిని తప్పుపట్టడం, అక్కడక్కడ ఉన్నటువంటి చిన్నచిన్న ఆదాయాలను తీసివేయడం వల్ల ఆదాయం తగ్గిపోవడం, అది సంవత్సరానికి ఎంతో తక్కువ అవుతుంది అనేటటువంటి అభిప్రాయాలు కలిగి ఉన్నారు. వీటిని, కనిపెట్టి వీటిని నిర్మూలించుకోవడానికి భూగర్భ నీటిని తోడివేయడం వల్ల, ఆ కుళాయిలు ఎండిపోతాయి అనేటటువంటి అభిప్రాయాలు ఎన్నో కలిగి ఉన్నారు. వాటన్నింటిని తొలగించవలసి ఉంటుంది.

ఆఫీసులలో ఎంతో కొంత ఖర్చు అవుతుంది. వరకు 13 నెలలకొకసారి 18% వైద్యశాఖకు ఇవ్వాలి.

By Order

Yours

for Secretary.

7.1.99

To, Ver: Records for reffes.

Asst R

9/1/99

D.O. 01

[illegible]

6635 [illegible]

P. 7 36-97

[illegible]

28.1.99

Recd 30/1/99 A.K. for reffes

Asst R

P.T. 36 of 96 relating to the Petr is put up.

A.K.

31/1/99

Subd

(1) Two Rs stamp affixed & addressed to H.H. the Maha Rani - Report.

(2) Is an application for revision of G.O. No 6635 / P.T. 36-97 dt 19th January 1898 re/petns petn's appeal.

M.K.

1/2/99 Subd to 2nd Councillor

2/2/99

Recd 7.2.99

Mr Mallen requested great consideration as petn was finally decided. There are no grds whereon the orders already passed are liable

Asst

17.2.99

Draft Sanad put up

[illegible]

1899

No. 1131

Name of Petitioner Cudinuntappa son of Cudinuntappa residing at

Village Puttasandra

Taluk

District Tumkur

Date of Arzi 6-2-98

Date of Receipt 23-12-98

Date of Disposal

No. of Enclosure 1

Cudinuntappa &c - 1 Narrappa.
2 Sanjivappa
ABSTRACT 3 V. Labba
4 V. Rayappa
5 Ranga
6 Cudinuntappa.

Memorial bet. H. the Maharani Regent appeal the decision of Asst in re Shanbhogi Inamland of Conenahalli, Pavidanda Sub Taluk - Conveyed to petr. in Cust. No. 3792 of 13-12-97.

The order of Asst is to the following effect.

The petitioner lost & all his claim to his portion of the said land, since he failed to pay the Asst to Asst the amount due on it, since Civil Dasanna, his relation, (cost 3-8 coolies) resigned it and since it was presumed by Asst. as the said land has again been given to the new Shanbhog he had to il cannot be restored. The appeal is therefore dismissed.

The grounds urged by the petitioner are

could not be deprived of his hereditary
Hall &c. Consequently the decision of Court
is unjust and illegal

The fact that Chik Dasanna, who was the
registrar and who had been in Enjoyment
of Chanbhogi Watan, recognises the land was not
included in the petitioner though he was registrar
and recorded as such in the register. This is
improper and unjust.

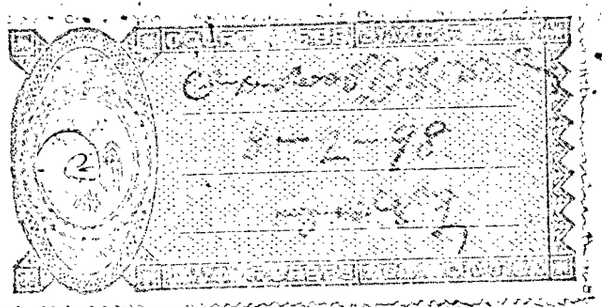
The Kabjiyana was not submitted as laid
down in the Land Rev. Code Rules. Moreover it
was not at all approved by Govt. The decision
of Govt depriving his Hall based on such illegal
Kabjiyana is unjust and illegal.

The fact that his Hall cannot be revived as
the land has again been given to the new Chanbhog
is groundless. The new incumbent is not a
Stranger to the family. He is a registrar like
the petitioner and is entered as such in the register
Hence the holding of Govt that the new incumbent
is a Stranger is wrong

When Narasappa was appointed the petitioner
consented to his appointment since the said Narasappa
was an Registrar and Hakdar. Narasappa has
also deposed that the petr is an Hakdar & Registrar
Hence the holding of Govt that the new incumbent is
a Stranger is inconsistent with the records.

The decision of Govt is against law Especially
Hindu Law and the records

Pray that on perusal of all the records the
petitioner may be protected by restoring
his Hall &c.



No 270

1131
23.12.98

Two Rs stamp affixed may

MYSORE DEWAN'S ORIGINAL PETITION DEPARTMENT.
REGD. No. 1131 R
23-12-98

ಸನ್ 1882ನೇ ಮಾರ್ಚಿ ತಿಂಗಳಲ್ಲಿ ಮಾಸ್ತಿಯವರ ತಂದೆಯವರು
ತಮ್ಮ ಮಾವನವರ ಕೆಲಸದ ಮೇಲೆ ಹೊರಟಿದ್ದಾಗ ಅವರ ಜೊತೆಯಲ್ಲಿ
ಹೋಗಿದ್ದರು. ಆಗ ಅವರಿಗೆ ಸುಮಾರು ಮೂರು ವರ್ಷ ವಯಸ್ಸು.
ಅವರ ತಂದೆಯವರು ಆಗ ಕೋಲಾರದಲ್ಲಿ ಸಬ್ ರಿಜಿಸ್ಟ್ರಾರರಾಗಿದ್ದರು.
ಅವರ ಮಾವನವರು ಆಗ ಕೋಲಾರದಲ್ಲಿ ಸಬ್ ಜಡ್ಜರಾಗಿದ್ದರು.
ಅವರ ಮಾವನವರ ಹೆಸರು ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್. ಅವರು
ಮಾಸ್ತಿಯವರ ತಾಯಿಯ ಚಿಕ್ಕಪ್ಪ. ಅವರಿಗೆ ಮಕ್ಕಳಿರಲಿಲ್ಲ.
ಆದ್ದರಿಂದ ಅವರು ಮಾಸ್ತಿಯವರನ್ನು ತಮ್ಮ ಮಗನಂತೆ ಪ್ರೀತಿಸುತ್ತಿದ್ದರು.
ಅವರ ಮನೆಯಲ್ಲಿ ಅವರಿಗೆ ಬಹಳ ಮುದ್ದು ಮಾಡುತ್ತಿದ್ದರು.
ಅವರ ಮನೆಯಲ್ಲಿ ಅವರಿಗೆ ಯಾವ ಕೊರತೆಯೂ ಇರಲಿಲ್ಲ.
ಅವರು ಮಾಸ್ತಿಯವರಿಗೆ ಬೇಕಾದ ಎಲ್ಲ ಸೌಕರ್ಯಗಳನ್ನೂ ಒದಗಿಸಿಕೊಡುತ್ತಿದ್ದರು.
ಮಾಸ್ತಿಯವರು ಹುಟ್ಟಿದ್ದು 1883ನೇ ಇಸವಿ ಜೂನ್ ತಿಂಗಳ 6ನೇ
ತಾರೀಖಿನಂದು. ಅವರ ಹುಟ್ಟಿದ ಹಬ್ಬವನ್ನು ಅವರ ಮನೆಯಲ್ಲಿ
ಪ್ರತಿ ವರ್ಷವೂ ಆಚರಿಸುತ್ತಿದ್ದರು. ಅವರ ಹುಟ್ಟಿದ ಹಬ್ಬದ ದಿನ
ಅವರಿಗೆ ಹೊಸ ಬಟ್ಟೆಗಳನ್ನು ತೊಡಿಸುತ್ತಿದ್ದರು. ಅವರಿಗೆ ಸಿಹಿ
ತಿಂಡಿಗಳನ್ನು ಮಾಡಿ ತಿನ್ನಿಸುತ್ತಿದ್ದರು. ಆ ದಿನ
ಅವರಿಗೆ ಹೊಸ ಬಟ್ಟೆಗಳನ್ನು ತೊಡಿಸಿ ಅವರ ಫೋಟೋವನ್ನು
ತೆಗೆಸುತ್ತಿದ್ದರು. ಅವರ ಮಾವನವರು ಅವರ ಫೋಟೋವನ್ನು
ತೆಗೆಸ

ಅಪ್ಪಿಲಿಲ್ಲದೆ ಬಂದರು ಹುಣ್ಣಿಮೆ ಬಂದರೆ ತಿಂಗಳು

ಸಂಖ್ಯೆ: ಸಿಆಸುಇ 98 ಕೆಎಂಎಸ್ 2018

ಆಡಳಿತ ಸುಧಾರಣಾ ಇಲಾಖೆ

ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಕಾರ್ಯಾಲಯಗಳ ಕಾರ್ಯವೈಖರಿ ಸುಧಾರಣೆ

ಕರ್ನಾಟಕ ಸರ್ಕಾರಿ ಕಾರ್ಯಾಲಯಗಳ ಕಾರ್ಯವೈಖರಿ ಸುಧಾರಣೆಗಾಗಿ ಕೈಗೊಳ್ಳಬೇಕಾದ ಕ್ರಮಗಳ ಬಗ್ಗೆ ಆಡಳಿತ ಸುಧಾರಣಾ ಇಲಾಖೆಯು ಈಗಾಗಲೇ ಹಲವಾರು ಆದೇಶಗಳನ್ನು ಹೊರಡಿಸಿದೆ. ಆದರೂ ಸಹ ಕೆಲವು ಕಚೇರಿಗಳಲ್ಲಿ ಕಾರ್ಯವೈಖರಿಯಲ್ಲಿ ಸುಧಾರಣೆ ಕಂಡುಬಂದಿರುವುದಿಲ್ಲ. ಸಾರ್ವಜನಿಕರಿಂದ ಬರುವ ಅರ್ಜಿಗಳನ್ನು ಸಕಾಲದಲ್ಲಿ ವಿಲೇವಾರಿ ಮಾಡದಿರುವುದು, ಅರ್ಜಿದಾರರಿಗೆ ಸೌಜನ್ಯದಿಂದ ಉತ್ತರಿಸದಿರುವುದು, ಕಚೇರಿಗೆ ಭೇಟಿ ನೀಡಿದಾಗ ಅಧಿಕಾರಿಗಳು ಲಭ್ಯವಿಲ್ಲದಿರುವುದು ಮುಂತಾದ ಅಂಶಗಳು ಸಾರ್ವಜನಿಕರಿಂದ ಆಡಳಿತ ಸುಧಾರಣಾ ಇಲಾಖೆಗೆ ಬರುವ ದೂರುಗಳಲ್ಲಿ ಪ್ರಮುಖವಾಗಿವೆ. ಈ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಕಚೇರಿಗಳ ಕಾರ್ಯವೈಖರಿಯಲ್ಲಿ ಸುಧಾರಣೆ ತರಲು ಕೆಳಕಂಡ ಕ್ರಮಗಳನ್ನು ಕೈಗೊಳ್ಳಲು ಸರ್ಕಾರವು ನಿರ್ಧರಿಸಿದೆ.

1. ಪ್ರತಿ ಕಚೇರಿಯಲ್ಲಿಯೂ ಸಾರ್ವಜನಿಕರಿಂದ ಬರುವ ಅರ್ಜಿಗಳನ್ನು ಸ್ವೀಕರಿಸಲು ಒಂದು ಕೌಂಟರ್ ಇರಬೇಕು. ಅರ್ಜಿ ಸ್ವೀಕರಿಸಿದ ಬಗ್ಗೆ ಅರ್ಜಿದಾರರಿಗೆ ಸ್ವೀಕೃತಿ ನೀಡಬೇಕು.

2. ಅರ್ಜಿಗಳನ್ನು ಸ್ವೀಕರಿಸಿದ ದಿನಾಂಕದಿಂದ ಗರಿಷ್ಠ 30 ದಿನಗಳ ಒಳಗೆ ವಿಲೇವಾರಿ ಮಾಡಬೇಕು. ಅರ್ಜಿಯನ್ನು ತಿರಸ್ಕರಿಸಿದಲ್ಲಿ ಅದಕ್ಕೆ ಕಾರಣಗಳನ್ನು ಅರ್ಜಿದಾರರಿಗೆ ಲಿಖಿತವಾಗಿ ತಿಳಿಸಬೇಕು.

3. ಕಚೇರಿಯ ಮುಖ್ಯಸ್ಥರು ವಾರದಲ್ಲಿ ಕನಿಷ್ಠ ಮೂರು ದಿನಗಳಾದರೂ ಸಾರ್ವಜನಿಕರಿಗೆ ಲಭ್ಯವಿರಬೇಕು. ಈ ಬಗ್ಗೆ ಕಚೇರಿಯ ಮುಂಭಾಗದಲ್ಲಿ ಫಲಕ ಹಾಕಬೇಕು.

4. ಸಾರ್ವಜನಿಕರೊಂದಿಗೆ ಸೌಜನ್ಯದಿಂದ ವರ್ತಿಸಬೇಕು. ಅಧಿಕಾರಿಗಳು ಮತ್ತು ಸಿಬ್ಬಂದಿಯವರ ಹೆಸರು ಮತ್ತು ಹುದ್ದೆಯ ವಿವರಗಳನ್ನು ಕಚೇರಿಯಲ್ಲಿ ಪ್ರದರ್ಶಿಸಬೇಕು.

5. ಪ್ರತಿ ಕಚೇರಿಯಲ್ಲಿಯೂ ಸಾರ್ವಜನಿಕರಿಂದ ಬರುವ ಸಲಹೆ ಮತ್ತು ದೂರುಗಳನ್ನು ಸ್ವೀಕರಿಸಲು ಒಂದು ಪೆಟ್ಟಿಗೆಯನ್ನು ಇಡಬೇಕು. ಅದನ್ನು ವಾರಕ್ಕೊಮ್ಮೆ ತೆರೆದು ಪರಿಶೀಲಿಸಬೇಕು.

6. ಕಚೇರಿಯ ಕಾರ್ಯವೈಖರಿಯ ಬಗ್ಗೆ ಸಾರ್ವಜನಿಕರಿಂದ ಅಭಿಪ್ರಾಯ ಸಂಗ್ರಹಿಸಲು ಪ್ರತಿ ಜಿಲ್ಲಾ ಕೇಂದ್ರದಲ್ಲಿ ಒಂದು ಸಮಿತಿಯನ್ನು ರಚಿಸಲಾಗುವುದು.

ಈ ಆದೇಶವನ್ನು ಎಲ್ಲಾ ಇಲಾಖೆಗಳ ಮುಖ್ಯಸ್ಥರು ಕಟ್ಟುನಿಟ್ಟಾಗಿ ಪಾಲಿಸಬೇಕೆಂದು ಸೂಚಿಸಲಾಗಿದೆ.

ಆದೇಶದಂತೆ ಮತ್ತು ಹೆಸರಿನಲ್ಲಿ,

(ಎಸ್. ಕೃಷ್ಣಮೂರ್ತಿ)

ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ

ಆಡಳಿತ ಸುಧಾರಣಾ ಇಲಾಖೆ

L.R.C. No. [illegible]

[illegible]

[illegible]

[

[illegible]

[illegible]

[illegible]

"By order"

[illegible]

[illegible]

[illegible] 23/1/99